STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Public Hearing – March 14, 2011
Environment Committee

Testimony Submitted by Acting Commissioner Daniel C. Esty
Department of Environment Protection

Raised Senate Bill No. 1116 - AN ACT CONCERNING THE RECYCLING OF ORGANIC MATERIALS BY CERTAIN FOOD WHOLESALERS, MANUFACTURERS, SUPERMARKETS AND CONFERENCE CENTERS

Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 1116 - AN ACT CONCERNING THE RECYCLING OF ORGANIC MATERIALS BY CERTAIN FOOD WHOLESALERS, MANUFACTURERS, SUPERMARKETS AND CONFERENCE CENTERS.

We appreciate the Committee's willingness to raise this bill at the request of the Department of Environmental Protection (Department). This proposal, which we strongly support, consists of important and simple steps to advance statewide recycling and clean energy goals by strengthening the infrastructure capacity for recycling and recovering energy from commercial food residuals.

Connecticut's Solid Waste Management Plan has identified food residuals recycling as one of the state's most critical strategies for reaching the state's source reduction and recycling objectives in the coming years to reduce our reliance on resource recovery facilities and landfills. This means we will need facilities in which to process and recycle food residuals.

Why this bill is important:
This proposal would apply to the following large-volume generators of commercial food residuals: 1) commercial food wholesalers or distributors, 2) industrial food manufacturers or processors, 3) supermarkets, and 4) resorts and conference centers. These sectors account for the majority of the statewide volume of commercial food wastes produced.

According to the Connecticut 2009 Statewide Solid Waste Composition and Characterization Study[1], food residuals, by weight, are the single most common potentially recyclable material currently disposed of statewide. Collectively, food waste, other organics such as yard wastes, and compostable paper represent almost one-third of the materials currently disposed of rather than recycled. Residential and commercial food waste accounts for 321,481 tons per year of the state's disposed solid waste, about 13.5%. Leaves & grass represent 7.2%. Compostable paper (soiled, waxed, or otherwise unrecyclable) represents an additional 8.2%.

Connecticut has an economic development opportunity to significantly increase its food residuals recycling capacity such that it provides a network of large-scale processing facilities throughout the state, making it convenient and economically sensible for businesses to separate food residuals for recycling rather than disposal. Massachusetts has more than two dozen such facilities ranging in size from 15 – 150 tons per day received, while Connecticut has one facility located in New Milford that received a total of

[1] http://www.ct.gov/dep/lib/dep/waste_management_and_disposal/solid_waste/wastecharstudy/ctcompositioncharstudymay2010.pdf

about 6,500 tons total for the year 2010. Mandating the recycling of source-separated commercial and organic wastes within a certain time period after establishment of an organics recycling facility in the state would guarantee feedstock and thereby would provide certainty and predictability to potential new businesses considering establishing operations in Connecticut. With an adequate statewide network of food residuals recycling capacity in place, capturing and recycling the food waste segment of the waste stream will improve recycling rates and divert organic materials from landfills and resources recovery facilities, reducing greenhouse gas emissions from landfills, and minimizing capacity shortfalls at in-state resources recovery facilities. It would also provide fuel for clean energy anaerobic digestion plants as well as create a marketable commercial product for local retailers, such as high quality compost and soil amendments.

CT DEP's Food Residuals Mapping Study identified hundreds of in-state large-scale generators of commercial food residuals ranging from supermarkets and resorts to food product distributors. From all of these large-scale generators, a potential of 99,000 – 153,000 tons per year of commercial food scrap generation was estimated available for recycling (per "Identifying, Quantifying, and Mapping Food Residuals from Connecticut Businesses and Institutions *An Organics Recycling Planning Tool Using GIS FINAL REPORT"* September, 2001).

Implementation model is the same Connecticut has successfully used before for other recyclable materials:

This approach of instituting a recycling mandate once capacity is available is the same model the state successfully used for implementing our statewide recycling program and establishing regional processing centers for paper, glass, and cans, as described in CGS Section 22a-241b. This regulatory driver should help stimulate development of and demand for new infrastructure by assuring such facilities a steady supply of material, and may further promote and encourage markets for the recycled materials.

Sections 1 and 2 add the definition of "source-separated organic material" to both the solid waste management chapter (446d) and the solid waste management services chapter (446e). This is necessary to describe the materials that would be identified as recyclable at organics recycling facilities that are the subject of Section 3. Section 2 also adds a definition for "composting facility" to the solid waste management services chapter (446e). Last session this definition was added to the solid waste management chapter as part of an updating of definitions in that chapter and this proposal would define composting facilities in a uniform manner between the solid waste management chapter and the solid waste management services chapter.

Stakeholders' comments have been incorporated:

Our intention in Section 3 is to be clear that the requirement to recycle food residuals is dependent on the capacity becoming available within a close distance of the food waste generator. Section 3 was part of a broader recycling bill in 2010 (now know as Public Act 10-87). During last year's legislative session stakeholders recommended that the Department change the distance between a generator and a recycling facility from thirty miles to twenty miles, as well as other refinements. The suggestions and refinements offered last session are reflected in the language proposed in today's bill.

Consistency with state plans:

Creating the necessary infrastructure and diverting organic materials from resources recovery facilities and landfills advances Objective 2 of the Statewide Solid Waste Management Plan, and is also consistent with the Connecticut Climate Change Action Plan (Policy Action #43 Increase Recycling & Source Reduction, specifically, increase composting of source separated organics from commercial, industrial, and institutional generators). Recycling and composting have the greatest potential to sustainably move Connecticut to its vision of reducing the amount of waste it disposes and treating waste materials as a resource.

In summary, the DEP strongly supports Raised Senate Bill #1116 AN ACT CONCERNING THE RECYCLING OF ORGANIC MATERIALS BY CERTAIN FOOD WHOLESALERS, MANUFACTURERS, SUPERMARKETS AND CONFERENCE CENTERS because it saves businesses money through avoided disposal costs, reduces trash, increases recycling, and promotes clean energy businesses.

Thank you for the opportunity to present the Department's views on this proposal. If you should require any additional information, please contact the Department's legislative liaison, Robert LaFrance, at (860) 424-3401 or Robert.Lafrance@ct.gov.